



Atty Docket No. 80398.P443

214/222
Patent

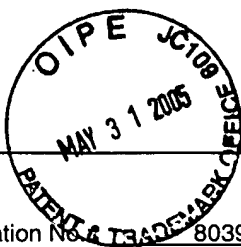
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner:	B. Gillis
David Gaxiola, et. al.)	
) Art Unit:	2141
)	
Application No. 10/033,407) Confirmation No:	8558
)	
Filed: December 26, 2001)	
)	
For: DEVICE BASED DETECTION)	
OF USER PREFERENCES IN A)	
HOME NETWORKING)	
ENVIRONMENT)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

In response to the Office Action mailed February 24, 2005, Applicant respectfully requests reconsideration of this application, as amended, and consideration of the following remarks.

**AMENDMENT TRANSMITTAL****PATENT**

Application No.: 80398.P443
Filing Date: December 26, 2001
First Named Inventor: David Gaxiola, et al.
Examiner's Name: Gillis, Brian J
Art Unit: 2141
Attorney Docket No.: 080398.P443

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☒ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: _____
- ☐ Other: _____
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Eric S. ReplogleSIGNATURE: REG. NO.: 52,161

DATE: _____

ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on _____

Date of Deposit

Cheri L. Clinkenbeard

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Signature 

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5-24-05

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(10/14/03)